

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

KRSTINE D'ARIENZO,
Plaintiff,

v.

NEUBLOC, LLC, a California limited liability company; AVIE HOLDINGS, LLC, a Nevada limited liability company; TEQSPRING, INC., a Nevada corporation; TEQNIKSOFT, LLC, a Nevada limited liability company; TRIBUTARY PUBLISHING INC., a Delaware corporation; DOES 1-10 business entities, forms unknown; DOES 11-20, individuals; and DOES 21-30, inclusive,

Defendants.

Case No. 2:20-cv-00689-APG-EJY

**ORDER REGARDING
IN-PERSON SETTLEMENT
CONFERENCE**

IT IS HEREBY ORDERED that an **in-person** Settlement Conference will be conducted in the fourth floor conference room and jury room of the Lloyd D. George United States Courthouse, 333 Las Vegas Boulevard South, Las Vegas, Nevada on **Tuesday, July 28, 2020**. Plaintiff must report to the chambers of the undersigned United States Magistrate Judge, Room 4068, at **9:00 a.m.** Defendants must report to the chambers of the undersigned at **9:30 a.m.**

The Court is closely following and reinforcing the guidelines from the CDC and other relevant health authorities and is taking precautionary measures to limit the potential spread of the COVID-19 virus. For example:

- **ALL VISITORS TO THE COURTHOUSE WILL BE REQUIRED TO MAINTAIN A SOCIAL DISTANCE OF AT LEAST SIX FEET AND EITHER WASH THEIR HANDS OR USE HAND SANITIZER BEFORE ENTERING THE COURTROOM.**
- **IF A PROCEEDING IS INSIDE THE COURTROOMS, CHAIRS, TABLES, AND MICROPHONES THAT HAVE BEEN UTILIZED WILL BE CLEANED AFTER EACH PROCEEDING. COUNSEL MAY BRING DISINFECTANT WIPES TO CLEAN THE SURFACE AREAS UTILIZED TO THEIR OWN COMFORT LEVEL AS WELL.**

- 1 • **SETTLEMENT CONFERENCE ATTENDEES MAY BRING AND**
2 **WEAR PERSONAL PROTECTIVE EQUIPMENT INCLUDING FACE**
3 **MASKS AND GLOVES OR OTHER PROTECTIVE COVERINGS AS**
4 **DESIRED.**
- 5 • **DOCUMENTS THAT WILL BE REFERENCED OR UTILIZED**
6 **DURING THE SETTLEMENT CONFERENCE MUST BE EMAILED**
7 **TO Emily_Santiago@nvd.uscourts.gov by JUNE 15, 2020.**

8 **IF YOU DO NOT FEEL WELL, CONTACT EMILY SANTIAGO AT THE EMAIL**
9 **ADDRESS ABOVE SO THAT THIS SETTLEMENT CONFERENCE MAY BE**
10 **RESCHEDULED OR ARRANGEMENTS TO ATTEND IT REMOTELY MAY BE MADE.**
11 **DO NOT COME TO THE COURTHOUSE IF YOU ARE EXPERIENCING FLU-LIKE**
12 **SYMPTOMS SUCH AS A COUGH, FEVER, OR SHORTNESS OF BREATH, OR IF YOU**
13 **HAVE BEEN IN CONTACT WITH ANYONE WHO HAS BEEN RECENTLY DIAGNOSED**
14 **WITH A COVID-19 INFECTION. REFER TO TEMPORARY GENERAL ORDER 2020-02**
15 **FOR ADDITIONAL COURTHOUSE-ACCESS POLICIES AND PROCEDURES.**

16 If any party is subject to coverage by an insurance carrier, then a representative of the
17 insurance carrier with authority to settle this matter up to the full amount of the claim or last demand.

18 **PREPARATION FOR SETTLEMENT CONFERENCE**

19 In preparation for the settlement conference, each party must submit a confidential settlement
20 conference statement for in camera review. **The confidential settlement conference statement,**
21 **with exhibits, must be delivered electronically to Emily_Santiago@nvd.uscourts.gov by 4:00**
22 **p.m. on June 15, 2020.**

23 The statement must contain the following:

- 24 1. A brief statement of the nature of the action.
- 25 2. A concise summary of the evidence that supports your theory of the case, including
26 the names of individuals disclosed pursuant to Rule 26(a)(1)(A)(i), the Rule 26(a)(1)(A)(iii)
27 computation of damages, and the Rule 26(a)(1)(A)(iv) insurance information. Each party must
28 provide all information that documents or supports your damages claims. Copies of medical records
or treatment records need not be submitted; however, these must be provided in a table or summary
format.

1 3. Attach to the statements submitted any documents or exhibits that are relevant to key
2 factual or legal issues, including selected pages from deposition transcripts or responses to other
3 discovery requests.

4 4. Provide an analysis of the key issues involved in the litigation. The analysis must
5 include a discussion of the strongest points in your case, both legal and factual, and a frank discussion
6 of the weakest points as well. The Court expects the parties to present a thorough analysis of the
7 key issues and candid evaluation of the merits of your case.

8 5. Identify and explain any obstacles to settlement, e.g. medical liens, statutory caps, or
9 motions pending before the court.

10 6. Provide the history of settlement discussions, if any, which have occurred in this case.
11 Provide any demands, offers, or offers of judgment that have been made and, if applicable, the
12 reasons they have been rejected. Attach a copy of all settlement correspondence, including all
13 written demands or offers and responses to the offers.

14 7. Provide the initial settlement proposal that will be presented at the settlement
15 conference with a justification for any monetary amount. The proposal must include any non-
16 monetary settlement terms that will be presented.

17 8. The parties are encouraged, but not required, to exchange non-confidential portions
18 of the settlement conference statements before the scheduled conference. The Court has found the
19 exchange of statements beneficial for purposes of settlement discussion.

20 Do not serve a copy on opposing counsel. Do not deliver or mail copies to the clerk's office.

21 The purpose of the statement is to assist the undersigned Magistrate Judge in preparing for
22 and conducting the settlement conference. To facilitate a meaningful conference, your utmost
23 candor in responding to all of the above-listed questions is required. The settlement conference
24 statement will remain confidential. If this case does not settle, the settlement conference statement
25 will not be disclosed to the Judge who will preside over the trial. Each statement will be securely
26 maintained in my chambers and will be destroyed following the conference.

1 Failure to comply with the requirements set forth in this order will subject the non-compliant
2 party to sanctions under Federal Rule of Civil Procedure 16(f).

3 Dated this 14th day of May, 2020
4

5
6 
7 ELAYNA J. YOUCHAK
8 UNITED STATES MAGISTRATE JUDGE
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28